

**DEPARTMENT OF THE TREASURY  
FEDERAL LAW ENFORCEMENT TRAINING CENTER  
GLYNCO, GEORGIA 31524**

---

FLETC DIRECTIVE (FD)

NUMBER: 96-01

---

Subject:

DATE: 06/22/94

Sunset Review:

PURSUIT POLICY

---

1. PURPOSE. This directive promulgates the pursuit policy guidelines to be taught by the Federal Law Enforcement Training Center (FLETC).
2. SCOPE. The provisions of this directive are applicable to basic and Center advanced training programs, including the Center-conducted training portion of the integrated programs. This directive does not apply to single-agency integrated programs of which the participating agency has requested and received approval from the program manager to instruct the agency Pursuit Policy in lieu of the FLETC Directive 96-01.
3. CANCELLATION. FLETC Directive 91-02, Pursuit Policy, dated January 20, 1988, is cancelled and superseded by this directive.
4. DEFINITION. Vehicle Pursuit. An incident involving a law enforcement officer who, while operating a motor vehicle, attempts to apprehend one or more occupants of another moving vehicle while the driver of that vehicle is attempting to evade apprehension.
5. POLICY. The policy and guidelines as described herein will be used in all instruction conducted by FLETC staff. FLETC instructors are not authorized to interpret policies of other organizations or deviate from the policy and guidelines taught at the Center. The FLETC pursuit driving policy, as used in the interagency training environment, is intended to balance the need to apprehend a suspect with the need to provide for the safety of the officer, the general public, and the suspect. The policy taught generally reflects the needs of the various organizations training at the FLETC; however, agency policies may be more liberal or conservative in some areas. Students are directed to familiarize themselves with their respective agency's stated policy.
6. GUIDELINES.
  - a. When to Pursue. Pursuit is justified when:

(1) The officer knows, or has reasonable grounds to believe, that the suspect presents a clear and immediate threat to public safety, or that the suspect has committed, or is attempting to commit, a serious crime; or

(2) when the necessity of immediate apprehension outweighs the level of danger created by the pursuit.

b. Responsibility. The responsibility for the decision to pursue rests with the individual officer at the time apprehension is considered. Even though an officer is engaged in a lawful performance of duties, the officer continues to have an obligation to exercise due care. Excessive speed or negligent operation of government vehicles may render both the officer and Government subject to civil action.

c. Factors to Consider. When making the decision whether or not to pursue, officers should consider the following factors:

(1) Ultimate safety of citizens, the officer(s) conducting the pursuit, and the driver and occupants of the vehicle being pursued;

(2) legal guidelines (Federal Code, State Code, agency policy) and requirements such as probable cause to pursue;

(3) nature of the violation or incident and the need for immediate apprehension (e.g., age/background of violator, mental state, if known);

(4) location of pursuit--urban, rural, or inner city;

(5) type of traffic;

(6) presence and volume of pedestrians;

(7) weather conditions;

(8) road conditions;

(9) type of roadway..limited or unlimited roadway;

(10) officer's driving skills and the condition of the police vehicle;

(11) possibility of alternative methods of apprehension (e.g., is the violator's identity known); and

(12) liability of officer/agency.

d. Control of Pursuit. If, in the opinion of the officer, the offense, situation, or circumstances warrant the decision to pursue, the following actions shall be taken:

(1) The officer shall:

(a) Activate all emergency equipment (siren, emergency lights, and headlights); and

(b) notify the dispatcher or communications center and provide the following information:

- 1 Identification of unit in pursuit, the location, direction, and reason for pursuit;
- 2 description of vehicle, license, and occupants; and
- 3 any unusual actions of the driver/ occupants of the vehicle being pursued; e.g., forcing other vehicles off the road, ramming or attempting to ram, shots fired, etc.

(2) The dispatcher/communications center shall immediately notify the officer's supervisor, the command officer, other units in the area, and any adjoining jurisdiction(s) which the pursuit could logically enter, that a pursuit is in progress.

(3) The supervisor should evaluate the circumstances and situation to determine if the need for immediate apprehension justifies continuing the pursuit. If continued pursuit is warranted, the supervisor should assume responsibility for control of the pursuit and may order the termination of the pursuit at any point.

(4) Any officer/vehicle seeking to join the pursuit shall immediately notify the communications center.

e. Pursuit Tactics. In order to reduce the probability of a pursuit situation occurring, when practicable the officer should be in close proximity to the suspect vehicle prior to activating the emergency lights and siren. Under no circumstances, however, should the officer grossly exceed posted speed limits or violate traffic control devices unless lights and sirens are activated. If the situation does evolve into a pursuit, the following should be observed:

(1) Offensive Tactics. Making deliberate contact between vehicles, forcing the pursued vehicle off the roadway, ramming, or using other offensive maneuvers while the pursued vehicle is in motion is strongly discouraged. Such offensive tactics are considered as deadly force and are justified only under the following circumstances:

- Use of offensive tactics are authorized by agency regulations/general orders.
- Danger to the public makes it imperative that the suspect be apprehended, justifying the use of deadly force.
- Notification is given to the supervisor if agency policy requires and time permits.
- Pursuing officer should be trained in the offensive tactics selected to terminate the pursuit, and all cautions should be exercised to minimize danger to the public, police officers, and suspect(s).

(2) Roadblocks. The use of roadblocks (rolling or stationary) is often as dangerous as the pursuit itself, but is necessary at times when immediate apprehension is essential to minimize danger to the public. Roadblocks should be utilized only at a supervisor's direction or concurrence and should not be attempted by a single officer. Because of the danger involved, roadblocks should not be used unless the use of deadly force is justified. Any type roadblock should not be attempted without the officers having received training in the selected methods which are in compliance with agency policies and procedures.

(3) Spacing. Each unit in the pursuit shall space themselves at a distance that will allow room for evasive maneuvers to avoid an accident, or that will allow them to place their vehicles in a high risk vehicle stop position in the event the need arises.

(4) Number of Police Vehicles. The minimum number of police vehicles and police officers that are reasonably necessary under the circumstances to conduct and conclude the pursuit, and confront and effect the immediate apprehension of suspect(s) with the minimum danger to the public and police should be used.

(5) Unmarked Police Vehicles. Officers operating unmarked police vehicles should not routinely engage in protracted pursuit except for the most serious of crimes which require immediate apprehension. If a protracted pursuit occurs, the officer must activate headlights, a portable rotating light after affixing it to the vehicle's

roof or dash, and a siren. Whenever a marked police vehicle is available, the unmarked vehicle should withdraw from active pursuit and serve in a support role. Privately owned vehicles should never be used in pursuit situations.

(6) Specialty Vehicles. Vehicles not designed as pursuit vehicles (e.g., paddy wagons, pickup trucks, 4-wheel drive, non-police package) should not be used as pursuit vehicles under circumstances of excessive speeds or vehicle maneuvering because they either lack police package suspension or have a high center of gravity which increases the possibility of vehicle roll-over during pursuit operations.

(7) Use of Firearms. An officer should contemplate firing at a moving vehicle only when loss of life or serious bodily harm is inevitable (the use of deadly force is deemed justifiable) and all other alternatives have been exhausted. Police officers should not fire from a moving vehicle. Firing at a moving vehicle with the intention of rendering it inoperable is nearly impossible and should not be attempted. The inherent dangers involving innocent third parties are enormous:

- (a) Predicting the exit point of a projectile when it is fired at the body of a moving vehicle is impossible.
- (b) Firing at a steel belted spinning tire produces the definite possibility of a dangerous ricochet.
- (c) Firing at an individual in a moving vehicle provides the aforementioned hazards and may also cause a vehicle moving at a high rate of speed to go out of control.

f. Termination of Pursuit. The decision to pursue is not irreversible. Officers must continually re-evaluate whether the pursuit should be continued and keep the supervisor advised as to actions being considered by the pursuing officer. A pursuit should be terminated under the following circumstances:

(1) If, in the opinion of the officer initiating the pursuit, there is a clear and unreasonable danger to the officer or other users of the roadway that outweighs the necessity for immediate apprehension. (A clear danger is considered to exist when speeds greatly exceed the normal flow of traffic, or when vehicular or pedestrian traffic necessitates dangerous maneuvering which may exceed the performance capabilities of the vehicle or the driver);

(2) the suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension;

(3) the environmental conditions indicate the futility or the danger of continued pursuit;

(4) the pursued vehicle's location is no longer known; or,

(5) when so directed by a supervisor.

7. RESPONSIBILITY. The Chief, Driver and Marine Division, is assigned the responsibility for ensuring that the courses and programs of driver training are conducted in accordance with the policy and guidelines of this directive. Coordinators of practical exercises and laboratories in which pursuit driving is used will ensure that students adhere to this directive's policy and guidelines.

8. OFFICE OF PRIMARY INTEREST. Driver and Marine Division, Office of Special Training.

Charles F. Rinkevich  
Director